

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

DEMOCRACY NORTH CAROLINA, THE
LEAGUE OF WOMEN VOTERS OF NORTH
CAROLINA, DONNA PERMAR, JOHN P.
CLARK, MARGARET B. CATES, LELIA
BENTLEY, REGINA WHITNEY EDWARDS,
ROBERT K. PRIDDY II, WALTER
HUTCHINS, AND SUSAN SCHAFFER,

Plaintiffs,

vs.

THE NORTH CAROLINA STATE BOARD OF
ELECTIONS; DAMON CIRCOSTA, in his
official capacity as CHAIR OF THE
STATE BOARD OF ELECTIONS; STELLA
ANDERSON, in her official capacity
as SECRETARY OF THE STATE BOARD OF
ELECTIONS; KEN RAYMOND, in his
official capacity as MEMBER OF THE
STATE BOARD OF ELECTIONS; JEFF
CARMON III, in his official
capacity as MEMBER OF THE STATE
BOARD OF ELECTIONS; DAVID C.
BLACK, in his official capacity as
MEMBER OF THE STATE BOARD OF
ELECTIONS; KAREN BRINSON BELL, in
her official capacity as EXECUTIVE
DIRECTOR OF THE STATE BOARD OF
ELECTIONS; THE NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION; J.
ERIC BOYETTE, in his official
capacity as TRANSPORTATION
SECRETARY; THE NORTH CAROLINA
DEPARTMENT OF HEALTH AND HUMAN
SERVICES; MANDY COHEN, in her
official capacity as SECRETARY OF
HEALTH AND HUMAN SERVICES,

Defendants,

PHILIP E. BERGER, in his official

Civil Action No. 20-cv-457

JOINT NOTICE OF FILING

capacity as PRESIDENT PRO TEMPORE OF THE NORTH CAROLINA SENATE; TIMOTHY K. MOORE, in his official capacity as SPEAKER OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES,

Defendant-Intervenors.

The Parties in this case respectfully submit this Notice of Filing to enter into the record for the Court's consideration exhibits that the Parties have either stipulated can be filed, or that were introduced without objection during the direct or cross-examinations of the witnesses who testified remotely through video-recorded testimony.

Those exhibits are as follows:

I. Plaintiffs:

- a. Plush Virtual Testimony, Ex. 1: *Public Health Guidance for Community-Related Exposure*, Centers for Disease Control and Prevention (Jun. 5, 2020);
- b. Plush Virtual Testimony, Ex. 2: *Coronavirus Disease 2019 (COVID-19) 2020 Interim Case Definition*, Approved April 5, 2020, Centers for Disease Control and Prevention (Apr. 5, 2020);

- c. Plush Virtual Testimony, Ex. 3, Murray Virtual Testimony, Ex. 5: *Morbidity and Mortality Weekly Report*, Centers for Disease Control and Prevention (Mar. 6, 2020);
- d. Plush Virtual Testimony, Ex. 5: *It is Time to Address Airborne Transmission of COVID-19*, Oxford University Press for the Infectious Diseases Society of America (July 14, 2020);
- e. Plush Virtual Testimony, Ex. 6: *The Precautionary Principle Also Applies to Public Health Actions*, The Precautionary Principle and Public Health (Sept. 2001);
- f. Plush Virtual Testimony, Ex. 7: *People of Any Age with Underlying Medical Conditions*, Centers for Disease Control and Prevention (June 25, 2020);
- g. Plush Virtual Testimony, Ex. 9: *The Relationship Between In-Person Voting and COVID-19: Evidence from the Wisconsin Primary*, National Bureau of Economic Research (May 2020); and
- h. Plush Virtual Testimony, Ex. 10: *A Rapid Systematic Review of the Efficacy of Face Masks and Respirators Against Coronaviruses and Other*

*Respiratory Transmissible Viruses for the
Community, Healthcare Workers and Sick Patients,
International Journal of Nursing Studies* (Apr.
21, 2020).

II. Legislative Defendants:

a. Affidavit of Brian Neesby in *North Carolina State Conference of the NAACP, et. al. v. Roy Asberry Cooper, III, et al.*, No. 18-cv-01034 (M.D.N.C. Oct. 30, 2019);

b. *In the Matter of: Investigation of Election Irregularities Affecting Counties Within the 9TH Congressional District, Order* (N.C. Cty. of Wake March 13, 2019).

Dated: July 20, 2020. Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that, on July 20, 2020, I electronically filed the foregoing Notice with the Clerk of the Court using the CM/ECF system.

/s/Nicole J. Moss
Nicole J. Moss